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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/616.711 | 07/10/2003 | She Shun Zhang | 03-100 | 2619 |
| 30058 | 7590 | 08/16/2006 | EXAMINER | |
| COHEN & GRIGSBY, P.C. 11 STANWIX STREET 15TH FLOOR PITTSBURGH, PA 15222 | | | BOES, TERENCE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3682 | |

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/616,711 | Applicant(s) ZHANG, SHE SHUN | |
| | Examiner Terence Boes | Art Unit 3682 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Winner USP 5802913 in view of McClearen.

Winner discloses:

- A housing (10) having a bore (103)
- Closed inner end (See Fig. 5 @ 103)
- Bearing (22) having a smooth end, first and second walls forming first and second shoulders (see fig 5 below, A and B respectively)
- Slot (see Fig. 5 between housing members 11 and 12) extending part of the length of said housing (10)
- Said second wall being located within said slot (see fig 5 below)
- Operator arm (13) disposed therein
- First wall (see fig. 5 below, A) with smaller diameter than second wall (see fig. 5 below, B).
- First shoulder (see fig 5 below, A) rests against a first wall (11) of slot (see Fig. 5).

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- Second shoulder (see fig 5 below, B) rests against a second wall (12) of slot (see fig 5 below, B)
- First wall has a round corner (shaft is round and has corner therefore has a "rounded corner")
- Operator arm (13) has a head part containing a gear section (34), gear section communicable with a crank operator (101)
- Crank operator (101) having a worm gear (14) positioned to communicate with operator arm gear section (34)
- Housing (10) included a base (18), substantially flat with a lower portion on one end.

Winner does not disclose:

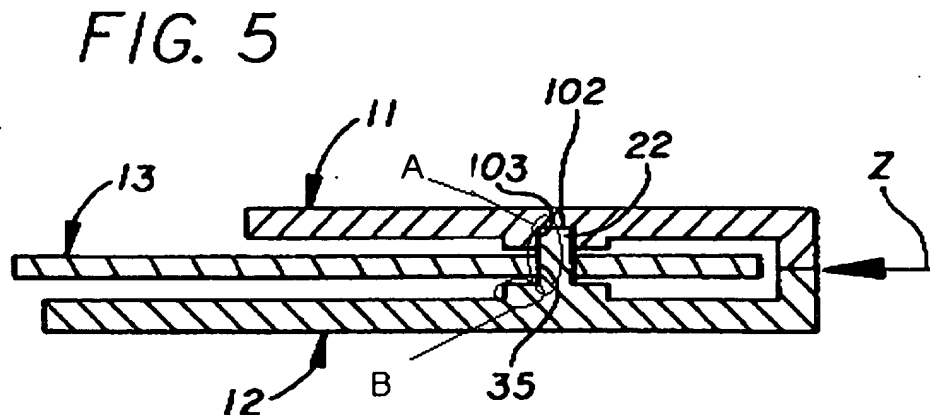
- Bore with outer threaded end
- Bearing with an opposite threaded end threaded into said threaded end

McClearn teaches a bore (see Fig. 5 bore through 28) with an outer threaded end for the purpose of providing a novel means whereby a closure, such as a window or door, may be operated easily (P1/L1-3), and for the purpose of providing replaceable wear components as is well known by those normally skilled in the art.

It would have been obvious to one having ordinary skill in the art at the time of the invention to provide the device disclosed by Winner with a bore with an outer threaded end to provide a novel means whereby a closure, such as a window or door, may be operated easily), and for the purpose of providing replaceable wear components as is well known by those normally skilled in the art.

McClearen teaches a bearing (29) with an opposite threaded end threaded into said threaded end [of bore] to mount one end of an arm (P2/C2/L1,2).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have provided a bearing with an opposite threaded end threaded into said threaded end of bore to mount one end of an arm.



Response to Arguments

2. Applicant's arguments filed 07/10/2006 have been fully considered but they are not persuasive.

Applicant argues:

1. "...that the closed inner end of the bore is actually represented by the receiving hole 103 in the top cover 11..."
 - a. Upon further consideration, a new ground(s) of rejection is made in view of applicants assertion that the closed inner end of the bore is

actually represented by the receiving hole 103 in the top cover 11.

The examiner agrees that "the closed inner end of the bore is actually represented by the receiving hole 103 in the top cover 11"

As such, Winner clearly discloses the claimed structure. The mere choice of reference characters is insufficient for removal of the rejection; the new rejection has been amended to indicate reference character 103.

2. The applicant indicates that "...Page 5, lines 24-25 of the specification have been amended to clearly recite that the outer threaded end 13 of the bearing 8 contains an indentation marked with a tool interface, such as a hexagon hole 14 or a cross 15, for insertion of a Philips screw head.
 - a. The examiner notes this appears to be an oversight as the amended specification does not include the stated amendment.
Appropriate correction is required.
3. "[Combining Winner in view of McClearen] would not result in a device comprising a bore with an outer threaded end, as disclosed by the presently claimed invention."
 - a. The examiner notes that Winner discloses a closed inner end (103) and McClearen discloses an outer threaded end (see fig 5, threaded bore through 28) as claimed.
4. "[Combining Winner in view of McClearen] would result in a device having a bearing with a smooth side, located in the outer end of the bore, and an

opposite side threaded into said closed inner threaded end of said bore,
located in the upper lid of the housing.”

- a. The examiner notes that Winner discloses said smooth end having first and second walls forming first and second shoulders (see included fig 5, A and B).

Conclusion

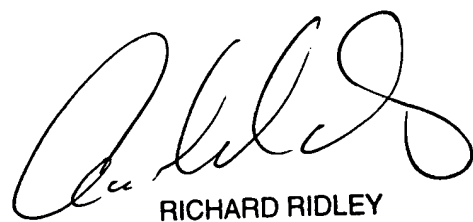
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Particularly, USP 5,678,944 discloses a rounded corner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terence Boes whose telephone number is (571) 272-4898. The examiner can normally be reached on Monday - Friday 9:00 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TB
8/8/06



RICHARD RIDLEY
SUPERVISORY PATENT EXAMINER